

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

TYRONE PATRICK JAEGER,	)	
	)	2:05-cv-00911-GEB-KJM
Plaintiff,	)	
	)	<u>ORDER DISMISSING ACTION</u>
v.	)	
	)	
DESERT PALACE, INC. dba CAESARS	)	
TAHOE, a Nevada corporation;	)	
CAESARS ENTERTAINMENT, INC., a	)	
Delaware corporation,	)	
	)	
Defendants.	)	
_____	)	

An Order to Show Cause and Continuing Status (Pretrial Scheduling) Conference issued in this case on June 30, 2005, requiring Plaintiff to show cause why sanctions should not be imposed for his failure to file a timely status report, as required by the Order Setting Status (Pretrial Scheduling) Conference filed May 10, 2005. When no response to this Order was received, the Court issued an Order to Show Cause Re Dismissal on September 8, 2005, which required a response by Plaintiff no later than 12:00 noon on September 12, 2005. The Order warned Plaintiff that "Failure to comply with this Order shall be deemed a consent to dismissal and this action will be dismissed. Cf. Brydges v. Lewis, 18 F.3d 651, 652-53 (9th Cir. 1994)".

1           To date no response to the September 8 Order has been filed.  
2       Since Plaintiff has not provided reason for it to continue pending,  
3       this action is dismissed without prejudice.

4           IT IS SO ORDERED.

5       Dated:   September 14, 2005

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7                               /s/ Garland E. Burrell, Jr.  
8                               GARLAND E. BURRELL, JR.  
9                               United States District Judge  
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